

Serial No. 10/003,344
Amendment dated August 24, 2005
Reply to Office Action of February 25, 2005

Docket No. LT-0008

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-7 and 10-18 are pending in the present application. By this Amendment, claims 8 and 9 have been canceled without prejudice or disclaimer; claims 1, 2, 7, 10 and 11 have been amended; and claims 12-18 have been added.

In the outstanding Office Action, claims 1-11 were rejected under 37 U.S.C. § 102(b) as anticipated by Takagi et al., which is respectfully traversed.

Amended claim 1 is directed to a method of providing a file transfer service through a mobile communication network including (a) storing a data file and transfer conditioning information thereof received from a first mobile terminal connected through the mobile communication network, (b) transmitting information for transferring the data file through the mobile communication network based on the stored transfer conditioning information, and (c) checking response information sent from a second mobile terminal answering to said information for transferring the data file, and transferring the data file to the second mobile terminal based on the checked result. Further, transferring conditioning information includes a blocking time period set in the first mobile terminal of when not to permit a file transfer to occur by the first mobile terminal.

Thus, because the blocking time period is set in the first mobile terminal, a user is given more control over determining when a good or bad time is to transmit the data. That is, the user

is given the freedom of determining when the best time to transmit the file or the best time not to transmit the file. For example, the user may determine that he or she does not want files transferred during peak hours or may determine that he or she does not want a file transferred during a particular time period for other personal reasons.

On the contrary, Takagi et al. is directed to predicting information which will be required by a user using a mobile terminal and then transferring this information to the mobile terminal just prior to performing a certain process. In fact, column 7, lines 60 to column 8, line 12 of Takagi et al. teaches against the present invention setting in the mobile terminal a blocking time period when a file is not to be transferred. In particular, this section indicates that if the information transferred is carried out at a timing where the user requests the information necessary for the work, there can be cases in which the information transfer times become long or cases in which the information transfer fee becomes high. Thus, according to Takagi et al., a prediction unit (such as the prediction units 12, 17 and 20 in the terminal 10) are used to predict when the user is going to perform a certain function. This differs from the present invention in which a user is given control over determining when not to transfer information by setting a blocking time period in the mobile terminal.

Further, independent claim 7 includes the subject matter recited in dependent claim 9 and recites that the step (b) selects one data file whose transfer blocking time is closest to a current time period. Thus, according to claim 7, a selected block is transmitted before the block time period occurs.

Serial No. 10/003,344

Docket No. LT-0008

Amendment dated August 24, 2005

Reply to Office Action of February 25, 2005

Regarding the subject matter recited in claim 9, the Office Action indicates Takagi et al. teach these features in column 13, lines 5-20. However, it is respectfully noted this section merely describes that a past time can be determined as a prescribed period of time (such as one hour) before a scheduled time that is recognized as a current time according to a prediction rule. This section does not teach or suggest selecting one data file whose transfer blocking time period is closer to a current as recited in amended independent claim 7.

According, it is respectfully submitted independent claims 1 and 7 and each claims depending therefrom are allowable.

Further, new claims 12-18 have been added to set forth the invention and Applicants submit the new claims are supported by the originally filed specification. It is respectfully submitted Takagi et al. also do not teach or suggest the features recited in new independent claim 12.

Further, the specification has been amended to correct minor informalities. No new matter has been added.

Serial No. **10/003,344**
Amendment dated **August 24, 2005**
Reply to Office Action of **February 25, 2005**

Docket No. **LT-0008**

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Daniel Y.J. Kim**, at the telephone number listed below. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP

Daniel Y.J. Kim
Registration No. 36,186

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3701 DYK\dak

Date: August 24, 2005

Please direct all correspondence to Customer Number 34610

\\fk4\Documents\2031\2031-003\61413.doc